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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Dennis Ephram Chambers,

No. CV-16-00694-PHX-DLR

10 Petitioner,

ORDER

11 v.

12 Charles L Ryan, et al.,

13 Respondents.

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16 Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge
17 Michelle Burns, which recommends dismissing Petitioner’s Petition for Writ of Habeas
18 Corpus. (Doc. 18.) The Magistrate Judge advised the parties that they had fourteen days
19 to file objections to the R&R and that failure to file timely objections could be considered
20 a waiver of the right to obtain review of the R&R. (*Id.* at 7-8 (citing Fed. R. Civ. P.
21 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

22 Neither party filed objections, which relieves the Court of its obligation to review
23 the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985)
24 (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the
25 subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de
26 novo any part of the magistrate judge’s disposition that has been properly objected to.”).
27 The Court has nonetheless reviewed the R&R and agrees with Magistrate Judge Burns’
28 recommendations. The Court will accept the R&R and deny the Petition. *See* 28 U.S.C.

1 § 636(b)(1) (stating that the district court “may accept, reject, or modify, in whole or in
2 part, the findings or recommendations made by the magistrate”); Fed. R. Civ. P. 72(b)(3)
3 (“The district judge may accept, reject, or modify the recommended disposition; receive
4 further evidence; or return the matter to the magistrate judge with instructions.”).
5 Accordingly,

6 **IT IS ORDERED** that Magistrate Judge Burns' R&R (Doc. 18) is **ACCEPTED**,
7 Petitioner's Petition for Writ of Habeas Corpus (Doc. 1) is **DISMISSED**, a Certificate of
8 Appealability is **DENIED**, and Petitioner may not proceed in forma pauperis on appeal.
9 The Clerk shall terminate this action.

10 || Dated this 3rd day of November, 2016.


Douglas L. Rayes
United States District Judge